

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MARK HALE, TODD SHADLE, and
LAURIE LOGER, on behalf of themselves and
all others similarly situated,

Plaintiffs

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, EDWARD
MURNANE, and WILLIAM G. SHEPHERD,

Defendants.

Case No. 3:12-cv-00660-DRH-SCW

Judge David R. Herndon

Magistrate Judge Stephen C. Williams

**DECLARATION OF BRENT W. LANDAU IN SUPPORT OF
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS**

I, Brent W. Landau, am a member in good standing of the bars of Pennsylvania, New York, and the District of Columbia and a partner in the law firm of Hausfeld LLP. I am one of the counsel for Plaintiffs and Court appointed Class Counsel in the above-captioned action. I provide this declaration in support of Plaintiffs' Motion for Attorneys' Fees and Costs.

1. I have reviewed the time and expense records submitted by Hausfeld LLP in this litigation and attest that they are accurate.

2. I further attest that the billing rates used to calculate the lodestar reflect the customary billing rates of the timekeepers at the time the services were rendered.

3. A true and correct copy of Hausfeld LLP's resume is attached as Attachment A to this Declaration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 9, 2018, in Philadelphia, PA.



Brent W. Landau

Attachment A

HAUSFELD



BERLIN BOSTON BRUSSELS DÜSSELDORF LONDON NEW YORK PARIS PHILADELPHIA SAN FRANCISCO WASHINGTON, DC www.hausfeld.com

Hausfeld Firm Resume

HAUSFELD

Hausfeld is “the world’s leading antitrust litigation firm.”

– *Politico*

Hausfeld Firm Summary

In the last decade, Hausfeld attorneys have won landmark trials, negotiated complex settlements among dozens of defendants, and recovered billions of dollars in recoveries for clients both in and out of court. Renowned for skillful prosecution and resolution of complex and class-action litigation, Hausfeld is the only claimants’ firm to be ranked in the top tier in private enforcement of antitrust/competition law in both the United States and the United Kingdom by *The Legal 500* and *Chambers & Partners*. Our German office was also ranked by *The Legal 500* for general competition law.

From our locations in Washington, D.C., Boston, New York, Philadelphia, San Francisco, Berlin, Brussels, Paris, Düsseldorf, and London, Hausfeld contributes to the development of law in the United States and abroad in the areas of antitrust/competition, consumer protection, environmental threats, human and civil rights, mass torts, and securities fraud. Hausfeld attorneys have studied the global integration of markets—and responded with innovative legal theories and a creative approach to claims in developed and emerging markets.

Hausfeld was founded by Michael D. Hausfeld, who is widely recognized as one of the country’s top civil litigators and a leading expert in the fields of private antitrust/competition enforcement and international human rights. *The New York Times* has described Mr. Hausfeld as one of the nation’s “most prominent antitrust lawyers,” while *Washingtonian Magazine* characterizes him as a lawyer who is “determined to change the world—and succeeding,” noting that he “consistently brings in the biggest judgments in the history of law.”

Antitrust and Competition Litigation

Hausfeld’s reputation for leading groundbreaking antitrust class actions in the United States is well-earned. Having helmed more than 40 antitrust class actions, Hausfeld attorneys are prepared to **litigate and manage cases with dozens of defendants** (*In re Blue Cross Blue Shield Antitrust Litigation*, with more than thirty defendants), **negotiate favorable settlements for class members and clients** (*In re Air Cargo Shipping Services Antitrust Litigation*, settlements of more than \$1.2 billion), take on the financial services industry (*In re Foreign Exchange Antitrust Litigation*, with settlements of more than \$2.3 billion), **take cartelists to trial** (*In re Vitamin C Antitrust Litigation*, trial victory of \$162 million against Chinese manufacturers of vitamin C), and **push legal boundaries where others have not** (*O’Bannon v. NCAA*, another trial victory in which the court found that NCAA rules prohibiting additional scholarship payments to players as part of the recruiting process).

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“Hausfeld, which ‘commits extensive resources to the most difficult cases,’ widely hails as one of the few market-leading plaintiff firms.”

– *The Legal 500* 2017

Hausfeld: A Global Reach

Hausfeld’s international reach enables it to advise across multiple jurisdictions and pursue claims on behalf of clients worldwide. Hausfeld works closely with clients to deliver outstanding results while always addressing their business concerns. Hausfeld does so by anticipating issues, considering innovative strategies, and maximizing the outcome of legal disputes in a way that creates shareholder value. Its inventive cross border solutions work to the benefit of the multinational companies it often represents.

Creative Solutions to Complex Legal Challenges

Hausfeld lawyers consistently apply forward-thinking ideas and creative solutions to the most vexing global legal challenges faced by clients. As a result, the firm’s litigators have developed numerous innovative legal theories that have expanded the quality and availability of legal recourse for claimants around the globe that have a right to seek recovery. Hausfeld’s impact was recognized by the *Financial Times*, which awarded Hausfeld the “Most Innovative Law Firm in Dispute Resolution of 2013,” as well as by *The Legal 500* which has ranked Hausfeld as the only top tier claimants firm in private enforcement of antitrust/competition law in both the United States and the United Kingdom. For example, the landmark settlement that Hausfeld negotiated to resolve claims against Parker ITR for antitrust overcharges on marine hoses represented the first private resolution of a company’s global cartel liability without any arbitration, mediation, or litigation—creating opportunities never before possible for dispute resolution and providing a new model for global cartel settlements going forward.

Unmatched Global Resources

The firm combines its U.S. offices on both coasts and vibrant European presence with a broad and deep network around the globe to offer clients the ability to seek redress or confront disputes in every corner of the world and across every industry. With over 90 lawyers in offices in Washington, D.C., Boston, New York, Philadelphia, San Francisco, Berlin, Düsseldorf, Brussels, and London, Hausfeld is a “market leader for claimant-side competition litigation” (*The Legal 500*).

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“Hausfeld LLP is ‘one of the most capable plaintiffs’ firms involved in the area of civil cartel enforcement’, is ‘[w]idely recognised as a market leader for claimant-side competition litigation... [It is the] market leader in terms of quantity of cases, and also the most advanced in terms of tactical thinking.’”

– *The Legal 500* 2014 and 2015

Antitrust Litigation

Hausfeld’s antitrust litigation experience is unparalleled

Few, if any, U.S. law firms have litigated more class actions on behalf of companies and individuals injured by anticompetitive conduct than Hausfeld. The firm has litigated cases involving price-fixing, price manipulation, monopolization, tying, and bundling, through individual and class representation and has experience across a wide variety of industries, including automotive, banking, chemicals, construction, manufacturing, energy, financial services, food and beverage, health care, mining and metals, pharmaceuticals and life sciences, retail, sports and entertainment, technology, and transportation. Clients rely on us for our antitrust expertise and our history of success in the courtroom, and at the negotiation table, and the firm does not shy away from challenges, taking on some of the most storied institutions. Hausfeld is not only trusted by its clients, it is trusted by judges to pursue these claims, as evidenced by the fact that the firm has been appointed as lead or co-lead counsel in over 40 antitrust cases in the last decade. In one recent example, Judge Morrison C. England of the Eastern District of California praised Hausfeld for having “the breadth of experience, resources and talent necessary to navigate” cases of import.

Recognizing the firm’s antitrust prowess, *Global Competition Review* has opined that Hausfeld is “one of—if not the—top Plaintiffs’ antitrust firm in the U.S.” *The Legal 500* likewise consistently ranks Hausfeld among the top five firms in the United States for antitrust litigation on behalf of plaintiffs. And in naming Hausfeld to its Plaintiffs’ Hot List for the third year in a row in 2014, *The National Law Journal* opined that Hausfeld “punches above its weight” and “isn’t afraid to take on firms far larger than its size and deliver results, especially in antitrust litigation.”

Hausfeld has achieved outstanding results in antitrust cases

Hausfeld lawyers have achieved precedent-setting legal decisions and historic trial victories, negotiated some of the world’s most complex settlement agreements, and have collectively recovered billions of dollars in settlement and judgments in antitrust cases. Key highlights include:

- ***O’Bannon v. NCAA*, No. 09-cv-03329 (N.D. Cal.)**
Hausfeld served as lead counsel in this case, which received considerable press attention and has been hailed as a game-changer for college sports. Following a three-week bench trial in 2014, Hausfeld attained a historic victory: the court found that the NCAA’s rules prohibiting payments to student-athletes for their names, images, and likenesses harm competition in the recruiting process and violate the antitrust laws. This ruling was upheld by the Ninth Circuit Court of Appeals, which nevertheless modified the landmark injunctive relief now enjoyed by college athletes in perpetuity.
- ***In re Foreign Exchange Benchmark Rates Antitrust Litig.*, 13-cv-7789 (S.D.N.Y.)**
Hausfeld serves as co-lead counsel in this case alleging financial institutions participated in a conspiracy to manipulate a key benchmark in the foreign exchange market. To date, the firm has obtained over **\$2.3 billion** in settlements from **fifteen defendants**. The case is ongoing against the remaining defendant.

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Antitrust Litigation

continued

- *In re Air Cargo Shipping Services Antitrust Litig., No. 06-md-1775 (E.D.N.Y.)*
Hausfeld served as co-lead counsel in this case alleging over thirty international airlines engaged in a conspiracy to fix the price of air cargo shipping services. The firm negotiated more than **\$1.2 billion** in settlements from over 30 defendants for the class, won certification of the class and defeated the defendants' motions for summary judgment.
- *In re Vitamin C Antitrust Litig., No. 06-md-01738 (E.D.N.Y.)*
Hausfeld serves as co-lead counsel in the first class antitrust case in the United States against Chinese manufacturers. Hausfeld obtained settlements for the class of **\$22.5 million from two of the defendants**—the first after summary judgment, and the second just before closing arguments at trial. Days later, the jury reached a verdict against the remaining defendants, and the court entered a judgment for **\$148 million** after trebling the damages awarded. The defendants appealed to the U.S. Supreme Court, where Hausfeld prevailed and the case was remanded for further consideration by the Second Circuit.
- *In re International Air Passenger Surcharge Antitrust Litig., No. 06-md-01793 (N.D. Cal.)*
Hausfeld served as co-lead counsel in this case against two international airlines alleged to have fixed fuel surcharges on flights between the United States and United Kingdom. Lawyers at the firm negotiated a ground-breaking **\$200 million** international settlement that provides recovery for both U.S. purchasers under U.S. antitrust laws and U.K. purchasers under U.K. competition laws.
- *In re LIBOR-Based Financial Instruments Antitrust Litig., No. 11-md-2262 (S.D.N.Y.)*
Hausfeld serves as co-lead counsel in this case against sixteen of the world's largest financial institutions for conspiring to fix LIBOR, the primary benchmark for short-term interest rates. To date, the firm has obtained **\$590 million** in settlements with four defendants. An antitrust class has been certified and the case is ongoing against the remaining defendants.
- *In re Municipal Derivatives Antitrust Litig., No. 08-cv-2516 (S.D.N.Y.)*
Hausfeld served as co-lead counsel in this case against banks, insurance companies, and brokers accused of rigging bids on derivative instruments purchased by municipalities. The firm obtained over **\$200 million** in settlements with more than **ten defendants**.
- *In re Automotive Aftermarket Lighting Products Antitrust Litig., No. 09-ML-2007 (C.D. Cal.)*
Hausfeld served as co-lead counsel in this case against three manufacturers for participating in an international conspiracy to fix the prices of aftermarket automotive lighting products. The firm obtained over **\$50 million** in settlements.

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Antitrust Litigation

continued

- ***In re Processed Egg Products Antitrust Litig., No. 08-cv-04653 (E.D. Pa.)***
Hausfeld serves as co-lead counsel in this case alleging that egg producers, through their trade associations, engaged in a scheme to artificially inflate egg prices by agreeing to restrict the supply of both laying hens and eggs. To date, the firm has obtained over **\$135 million** in settlements, won certification of a class of shell egg purchasers, and a partial victory at trial as to liability.
- ***In re Fresh and Process Potatoes Antitrust Litig., No. 10-MD-2186 (D. Idaho)***
Hausfeld served as chair of the executive committee in this case alleging that potato growers, their cooperatives, processors, and packers conspired to manipulate the price and supply of potatoes. In defeating defendants' motion to dismiss, the firm secured a judicial determination that supply restrictions are not protected conduct under a limited federal antitrust exemption available to certain grower associations—a novel question that had never before been decided by any court. The firm obtained **\$19.5 million** in settlements and valuable injunctive relief prohibiting future production limitation agreements, achieving global resolution of the case.
- ***In re American Express Anti-Steering Rules Antitrust Litig., No. 11-md-2221 (E.D.N.Y.)***
As lead counsel, Hausfeld represents a class of merchants and retailers against American Express. The merchants allege that American Express violated antitrust laws by requiring them to accept all American Express cards, and by preventing them from steering their customers to other payment methods.
- ***In re Blue Cross Blue Shield Antitrust Litig., No. 13-mdl-2496 (N.D. Ala.)***
Michael Hausfeld serves as one of two co-lead counsel along with David Boies, and Megan Jones serves on the Plaintiffs' Steering Committee, with other partners holding court-appointed committee positions in this case against Blue Cross Blue Shield entities. This case was brought against over 30 Blue Cross companies and its trade association (BCBSA), and alleges that they illegally agreed not to compete with each other for health insurance subscribers across the United States. After defeating motions to dismiss, Hausfeld marshalled evidence from a record that consisted of over 14 million documents from more than thirty defendants and won a landmark ruling when the district court ruled that the per se standard would be applied to defendants' conduct. Plaintiffs will next move towards class certification and trial.
- ***In re Rail Freight Fuel Surcharge Antitrust Litig., No. 07-mc-00489 (D.D.C.)***
In one of the largest pending antitrust class actions in the United States, Hausfeld serves as co-lead counsel for a proposed class of nearly 16,000 rail freight shippers that collectively allege the defendants—the four largest freight railroads in the United States—conspired to fix the price of rail freight services through coordinated fuel surcharge programs and policies, which allowed the defendants to reap tremendous supra-competitive profits and harm rail freight shippers nationwide for years.

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Antitrust Litigation

continued

- ***In Re Korean Ramen Antitrust Litig., No. 3:13-cv-04115-WHO (N.D. Cal.)***
Hausfeld represents direct purchasers of Korean ramen noodles alleging a pricefixing conspiracy among noodle manufacturers and their U.S. affiliates. Judge William H. Orrick appointed Hausfeld attorneys as co-lead class counsel for the direct purchasers, and after achieving an early settlement for the class against Samyang Korea, the firm recently won class certification against Korean ramen noodle manufacturers Nongshim Co. Ltd. and Ottogi Co. Ltd.
- ***In re Disposable Contact Lens Antitrust Litig., No. 3:15-md-2626-J-20JRK (M.D. Fla.)***
As one of the three co-lead counsel for the direct purchaser plaintiffs, Hausfeld successfully defeated virtually all of the defendants' motions to dismiss in this case, which alleges complex horizontal and vertical conspiracies by the four leading contact lens manufacturers and a company that acts as the middleman for over 19,000 eyecare professionals throughout the United States.
- ***In re Packaged Seafood Products Antitrust Litigation, No. 3:15-md-02670-JLS-MDD (S.D. Cal.)***
The Court appointed Hausfeld attorneys as sole interim lead counsel for the putative class of direct purchasers of packaged seafood products, alleging a price-fixing conspiracy among the leading U.S. manufacturers—Chicken of the Sea, StarKist and Bumble Bee. Hausfeld successfully defeated most of the defendants' motions to dismiss and is now engaged in extensive discovery.

Litigation Achievements

Significant Trial Victories

While many law firms like to talk about litigation experience, Hausfeld lawyers regularly bring cases to trial—and win. Among our trial victories are some of the largest antitrust cases in the modern era. For example, in *O'Bannon v. NCAA* (N.D. Cal.), we conducted a three-week bench trial before the chief judge of the Northern District of California, resulting in a complete victory for college athletes who alleged an illegal agreement among the National Collegiate Athletic Association and its member schools to deny payment to athletes for the commercial licensing of their names, images, and likenesses. Our victory in the *O'Bannon* litigation followed the successful trial efforts in *Law v. NCAA* (D. Kan.), a case challenging earning restrictions imposed on assistant college coaches in which the jury awarded **\$67 million** to the class plaintiffs that one of our lawyers represented.

In *In re Vitamin C Antitrust Litigation* (E.D.N.Y.), we obtained, on behalf of our direct purchaser clients, a **\$162 million** jury verdict and judgment against Chinese pharmaceutical companies that fixed prices and controlled export output of Vitamin C—on the heels of \$22.5 million in settlements with other defendants, which represented the first civil settlements with Chinese companies in a U.S. antitrust cartel case. Years earlier, we took on a global vitamin price-fixing cartel in *In re Vitamins* (D.D.C.), in which we secured a **\$1.1 billion settlement** for a class of vitamin purchasers and then took the remaining defendants to trial, culminating in a **\$148 million jury verdict**.

Our trial experience extends to intellectual property matters and general commercial litigation as well. Recently, we represented entertainment companies that sought to hold internet service provider Cox Communications accountable for willful contributory copyright infringement by ignoring the illegal downloading activity of its users. Following a trial in *BMG Rights Management (US) LLC, v. Cox Enterprises, Inc.* (E.D. Va.), the jury returned a **\$25 million verdict** for our client.

Exceptional Settlement Results

In less than a decade, Hausfeld has recouped over \$20 billion for clients and the classes they represented. We are proud of our record of successful dispute resolution. Among our settlement achievements, three cases merit special mention. In a case involving allegations of price-fixing among the world's largest airfreight carriers, *In re Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.), we negotiated settlements with more than 30 defendants totaling over \$1.2 billion—all in advance of trial. During the same time period, in *In re Foreign Exchange Benchmark Rates Antitrust Litigation* (S.D.N.Y.), we negotiated settlements totaling more than \$2.3 billion with fifteen banks accused of conspiring to manipulate prices paid in the foreign-exchange market. And in the global *Marine Hose* matter, we broke new ground with the first private resolution of a company's global cartel liability without any arbitration, mediation, or litigation. That settlement enabled every one of Parker ITR's non-US marine-hose purchasers to recover up to 16% of their total purchases. These cases are just three among dozens of recent landmark settlements across our practice areas.

Reputation and Leadership in the Antitrust Bar

Court Commendations

Judges across the country have taken note of Hausfeld's experience and results achieved in antitrust litigation.

"All class actions generally are more complex than routine actions... But this one is a doozy. This case is now I guess nearly more than ten years old. The discovery as I've noted has been extensive. The motion practice has been extraordinary... The recovery by the class is itself extraordinary. The case, the international aspect of the case is extraordinary. Chasing around the world after all these airlines is an undertaking that took enormous courage."

– Judge Brian M. Cogan

In re Air Cargo Shipping Services Antitrust Litigation, No. 06-md-1775 (E.D.N.Y.)

Comparing Hausfeld's work through trial to *Game of Thrones*:

"where individuals with seemingly long odds overcome unthinkable challenges... For plaintiffs, their trial victory in this adventurous, risky suit, while more than a mere game, is nothing less than a win..."

– Magistrate Judge Nathanael M. Cousins

O'Bannon v. Nat'l College Athletic Ass'n, 09-cv-3329 (N.D. Cal.)

**Hausfeld lawyers achieved "really, an outstanding settlement in which a group of lawyers from two firms coordinated the work...and brought an enormous expertise and then experience in dealing with the case."
"[Hausfeld lawyers are] more than competent. They are outstanding."**

– Judge Charles R. Breyer

In re International Air Passenger Surcharge Antitrust Litig., No. 06-md-01793 (N.D. Cal.)

(approving a ground-breaking \$200 million international settlement that provided recovery for both U.S. purchasers under U.S. antitrust laws and U.K. purchasers under U.K. competition laws.)

Hausfeld has "the breadth of experience, resources and talent necessary to navigate a case of this import." Hausfeld "stands out from the rest."

– District Judge Morrison C. England Jr.

Four In One v. SK Foods, No. 08-cv-3017 (E.D. Cal.)

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Reputation and Leadership in the Antitrust Bar

continued



Awards and Recognitions

The Legal 500:

In 2018, Hausfeld was ranked in the top tier nationally for firms in antitrust civil litigation and class actions by *The Legal 500*. *The Legal 500* declared Hausfeld “at the top of its game,” with “a number of heavyweight practitioners”:

“Representing large companies, small and medium-sized businesses, as well as individuals, Washington DC firm Hausfeld LLP remains ‘top-notch’ in antitrust litigation... Hausfeld LLP is ‘one of the most capable plaintiffs’ firms involved in the area of civil cartel enforcement’, and is handling some of the major cartel-related cases...”

The Legal 500 has also recognized that Hausfeld is a “market transformer,” the “most innovative firm with respect to antitrust damages,” is “[d]riven by excellence,” “anticipates the evolving needs of clients,” and delivers “outstanding advice not only in legal terms but also with a true entrepreneurial touch’ . . .”

Who’s Who Legal:

In 2018, Who’s Who Legal recognized the firm as “[a] powerhouse in the plaintiffs’ litigation field, with particularly deep capability in competition matters,” highlighting “nine outstanding litigators.”

Concurrences

In 2018, an article authored by Hausfeld lawyers Scott Martin and Michaela Spero, joined by co-author Brian Henry, was awarded *Concurrences’* 2018 Writing Award for Private Enforcement (Business) Category. The article, “Cartel Damage Recovery: A Roadmap for In-House Counsel,” was originally published in *Antitrust Magazine*.

In 2017, Hausfeld’s Competition Bulletin was selected to be ranked among the top antitrust firms distributing newsletters and bulletins. Hausfeld is the only Plaintiffs firm to be ranked, and we secured the number one spot for Private Enforcement Newsletters.

In 2015, Hausfeld Partners Michael Hausfeld, Michael Lehmann and Sathya Gosselin, joined by co-authors Gordon Rausser and Gareth Macartney, were elected the winners of the *Concurrences’* 2015 Antitrust Writing Awards in the Private Enforcement (Academic) category for their article, “Antitrust Class Proceedings—Then and Now,” *Research in Law and Economics*, Vol. 26, 2014.

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Reputation and Leadership in the Antitrust Bar

continued



Financial Times:

In 2016, *Financial Times Innovative Lawyers Report* named Hausfeld as a top innovative law firm. Writing about Hausfeld's innovation in the legal market, the *Financial Times* noted: "The firm has taken the litigation finance model to Germany, to turn company in-house legal departments into profit centres."

In 2015, Michael Hausfeld was recognized by the *Financial Times* as one of the Top 10 Innovative Lawyers in North America.

In 2013, Hausfeld won the *Financial Times* Innovative Lawyer Dispute Resolution Award. The FT stated that Hausfeld has "[p]ioneered a unique and market-changing litigation funding structure that improved accessibility and enabled victims to pursue actions with little or no risk."



Global Competition Review:

In 2016, Hausfeld was awarded Global Competition Review's "Litigation of the Year – Cartel Prosecution" for its work on *In re Foreign Exchange Antitrust Benchmark Litigation*. The award recognized Hausfeld's success in the Foreign Exchange litigation to date, which has included securing settlements for more than \$2.3 billion in on behalf of a class of injured foreign exchange investors and overcoming three motions to dismiss in the action.

In 2015, Hausfeld attorneys were awarded *Global Competition Review's* "Litigation of the Year – Non-Cartel Prosecution," which recognized their trial victory in *O'Bannon v. NCAA*, a landmark case brought on behalf of college athletes challenging the NCAA's restrictions on payment for commercial licensing of those athletes' names, images, and likenesses in various media.



U.S. News & World Report:

In 2018, 2017, and 2016, *U.S. News & World Report* – Best Law Firms named Hausfeld to its top tier in both Antitrust Law and Litigation, and among its top tiers in Commercial Litigation. Hausfeld was also recognized in New York, San Francisco, and Washington, DC in Antitrust Law, Litigation, Mass Torts and Commercial Litigation.



American Antitrust Institute:

In 2016, the American Antitrust Institute honored two Hausfeld case teams—*In re Air Cargo Shipping Services Antitrust Litig.* (E.D.N.Y.) and *In re Municipal Derivatives Antitrust Litig.* (S.D.N.Y.)—with its top award for Outstanding Antitrust Litigation Achievement in Private Law Practice. Taken together, these two cases have yielded settlements of over \$1.4 billion to class members after nearly a decade of litigation. The award celebrates private civil actions that provide significant benefits to clients, consumers, or a class and contribute to the positive development of antitrust policy.

In 2015, Hausfeld and fellow trial counsel won the American Antitrust Institute's award for Outstanding Antitrust Litigation Achievement in Private Law Practice for their trial and appellate victories in *O'Bannon v. NCAA*.

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Reputation and Leadership in the Antitrust Bar

continued

THE NATIONAL
LAW JOURNAL



National Law Journal:

In 2015, Hausfeld was named to the *National Law Journal's* "Plaintiffs Hot List" for the Fourth Year in a Row.

"Hausfeld's creative approaches underpinned key antitrust wins last year, including a trailblazing victory for former college athletes over the use of their likenesses in television broadcasts and video games..." and Hausfeld, along with its co-counsel, "nailed down a \$99.5 million settlement with JPMorgan Chase & Co. in January in New York federal court for alleged manipulation of market benchmarks. And it helped land nearly \$440 million in settlements last year, and more than \$900 million thus far, in multidistrict antitrust litigation against air cargo companies."

In 2014, *The National Law Journal* named Hausfeld as one of a select group of America's Elite Trial Lawyers, as determined by "big victories in complex cases that have a wide impact on the law and legal business." The award notes that Hausfeld is among those "doing the most creative and substantial work on the plaintiffs side."

Chambers & Partners:

Between 2016 and 2018, *Chambers & Partners UK* ranked Hausfeld in the top tier among London firms representing private claimants in competition matters and recognized the firm's accomplishments in Banking Litigation.

Hausfeld's team "is known for market-leading practice. Paved the way for follow-on damages litigation in the UK. Represents claimants in the most significant follow-on and standalone damages actions." "The firm is incredibly impressive and innovative. The lawyers are highly skilled negotiators and litigators; real fighters with an outstanding strategic sense and dedication towards their clients."

Chambers & Partners has also ranked Hausfeld's U.S. operations in the top tier nationally for antitrust. The publication noted the firm's attributes as including:

- A reputation as a "[m]arket-leading plaintiffs' firm with considerable experience in antitrust class action suits and criminal cartel investigations."
- "[N]umerous successes in the area resulting in major recovery or settlements for its clients."
- Firm Chair Michael Hausfeld's record as "a very successful and able antitrust litigator" and "one of the titans of the Plaintiffs Bar."



Diversity and Inclusion

Hausfeld is committed to diversity and inclusion, because we know that embracing a variety of viewpoints and backgrounds allows us to gain better insights and strengthen our practice. Our diversity is reflected throughout our dozens of case teams leading class actions across the country. We are proud that half of our lawyers are women, who lead some of the largest price-fixing and market manipulation antitrust MDLs in the United States on behalf of our firm.

Hausfeld's Diversity and Inclusion Committee is committed to examining and improving all aspects of our hiring, benefits, training, support, and promotion practices to ensure that we maintain the highest standards for ourselves, and continually strive for improvement. We seek to ensure that all of our attorneys are provided the resources they need to excel, and are given opportunities to lead, both within and outside the firm.

Thought Leadership

Hausfeld lawyers do more than litigation. They exercise thought leadership in many fields. Hausfeld lawyers host, lecture at, and participate in leading legal conferences worldwide addressing ground-breaking topics, including: the pursuit of damages actions in the United States and the European Union on behalf of EU and other non-U.S. plaintiffs; nascent private civil enforcement of EU competition laws; application of the FTAIA; the impact of *Wal-mart Stores, Inc. v. Dukes* and *Comcast Corp. v. Behrend* on class certification; reforms to the Federal Civil Rules of Procedure; emerging issues in complex litigation; and legal technology and electronic discovery.

Hausfeld attorneys have presented before Congressional subcommittees, regulators, judges, business leaders, in-house counsel, private lawyers, public-interest advocates, elected officials and institutional investors, and hold leadership positions in organizations such as the American Bar Association, the American Antitrust Institute, the Women Antitrust Plaintiffs' Attorney network group, the Sedona Conference and IAALS.

Hausfeld attorneys also regularly organize and facilitate panels and conferences discussing the latest developments and trends in their respective practices and are frequently published in scholarly articles, journals, bulletins and legal treatises. Highlights from these publications and conferences include:

Recent Articles

- Michael Hausfeld, Irving Scher, and Laurence Sorkin, **"Litigating Indirect Purchasers Claims: Lessons for the EU from the U.S. Experience,"** *Antitrust Magazine* (Fall 2017)
- Scott Martin, Michaela Spero, and Brian Henry, **"Cartel Damage Recovery: A Roadmap for In-House Counsel,"** *Antitrust Magazine* (Fall 2017)—Recipient of *Concurrences'* 2018 Antitrust Writing Award for Private Enforcement (Business) Category.
- Michael D. Hausfeld and Irving Scher, **"Damage Class Actions After Comcast: A View from the Plaintiffs' Side,"** *Antitrust Magazine* (Spring 2016).
- James J. Pizzirusso, **"Proving Damages in Consumer Class Actions,"** Consumer Protection Committee, Vol. 22/ No. 1, ABA Section of Antitrust Law (Mar. 2016).
- Bonny E. Sweeney, **"Earning ACPERA's Civil Benefits,"** 29 *Antitrust Magazine* 37 (Summer 2015).
- Brent Landau and Gary Smith, **"Bundling Claims Under Section 1 of the Sherman Act: Focusing on Firms' Abilities to Create Anticompetitive Effects in a Market, Rather Than Their Share of It,"** *Antitrust Health Care Chronicle*, Vol. 28/ No. 1, ABA Section of Antitrust Law (Jan. 2015).
- Michael D. Hausfeld, Gordon C. Rausser, Gareth J. Macartney, Michael P. Lehmann, Sathya S. Gosselin, **"Antitrust Class Proceedings – Then and Now,"** *Research in Law and Economics* (Vol. 26, 2014) (Recipient of *Concurrences'* 2015 Antitrust Writing Award for Private Enforcement (Academic) Category).

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- Brent Landau and Brian Ratner, “**Chapter 39: USA,**” *The International Comparative Legal Guide to Cartels & Leniency* (Ch. 39, 2014).
- Michael Hausfeld and Brian Ratner, “**Prosecuting Class Actions and Group Litigation – Understanding the Rise of International Class and Collective Action Litigation and How this Leads to Classes that Span International Borders,**” *World Class Actions* (Ch. 26, 2012)
- Michael Hausfeld and Kristen Ward Broz, “**The Business of American Courts in Kiobel,**” *JURIST* – Sidebar (Oct. 2012).
- Bonny E. Sweeney, “**Overview of Section 2 Enforcements and Developments,**” 2008 Wis. L. Rev. 231 (2008).



Michael D. Hausfeld

Chairman

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Michael D. Hausfeld, widely recognized for his leadership on competition matters and his groundbreaking results in human rights law, is the Chairman of Hausfeld LLP.

His career has included some of the largest and most successful class actions in the fields of human rights, discrimination and antitrust law. He has an abiding interest in social reform cases and was among the first lawyers in the U.S. to assert that sexual harassment was a form of discrimination prohibited by Title VII; he successfully tried the first case establishing that principle. He represented Native Alaskans whose lives were affected by the 1989 Exxon Valdez oil spill. Later, he negotiated a then-historic \$176 million settlement from Texaco, Inc. in a racial-bias discrimination case. In the landmark *O'Bannon v. NCAA* litigation, Michael represented a class of current and former Division I men's basketball and FBS football players against the NCAA and its member institutions, based on rules foreclosing athletes from receiving compensation for the use of their names, images, and likenesses. At the conclusion of a three-week bench trial, the Court determined that the NCAA had violated the antitrust laws and issued a permanent injunction as requested by the plaintiffs. Immediately following the decision, Michael was named *AmLaw Litigation Daily's* "Litigator of the Week," citing the "consensus among courtroom observers [was] that Michael Hausfeld...got the best of a parade of NCAA witnesses at trial." *Law360* dubbed the trial team led by Michael as "Legal Lions," citing Hausfeld's historic victory over the NCAA.

In *Friedman v. Union Bank of Switzerland*, Michael represented a class of Holocaust victims whose assets were wrongfully retained by private Swiss banks during and after World War II. The case raised novel issues of international banking law and international human rights law. In a separate case, he also successfully represented the Republic of Poland, the Czech Republic, the Republic of Belarus, the Republic of Ukraine and the Russian Federation on issues of slave and forced labor for both Jewish and non-Jewish victims of Nazi persecution. He represented Khulumani and other NGOs in a litigation involving the abuses under apartheid law in South Africa.

**MICHAEL D. HAUSFELD**

Michael has a long record of successful litigation in the antitrust field, on behalf of individuals and classes, in cases involving monopolization, tie-ins, exclusive dealings and price fixing. He was a member of the ABA Antitrust Section's Transition Taskforce, which advised the incoming Obama Administration, and has chaired the ABA's Civil Redress Committee. Michael has been co-lead counsel in antitrust cases against manufacturers of genetically engineered foods, managed healthcare companies, bulk vitamin manufacturers, technology companies, and the world's largest banking institutions. He is involved in ongoing investigations of antitrust cases abroad and pioneering efforts to enforce competition laws globally. He was the only private lawyer permitted to attend and represent the interests of consumers worldwide in the 2003 closed hearings by the EU Commission in the Microsoft case.

Michael is widely recognized as a leader in the claimants' bar. The *National Law Journal* has recognized him as one of the "Top 100 Influential Lawyers in America" and the *Legal Times* named Michael among the top 30 "Visionaries" in the Washington legal community in 2008. The *New York Times* referred to Michael as one of the nation's "most prominent antitrust lawyers," and in 2009 the *Washingtonian* named him one of thirty "Stars of the Bar." Most recently, the *Global Competition Review* stated that Hausfeld "is clearly recognized as one of the best plaintiffs firms in the country." In the past, the magazine has reported that Michael "consistently brings in the biggest judgments in the history of law" and that he is "a Washington lawyer determined to change the world — and succeeding." Michael is one of thirty negotiators profiled in *Done Deal: Insights from Interviews with the World's Best Negotiators*, by Michael Benoliel, Ed.D. He has also been described by one of the country's leading civil rights columnists as an "extremely penetrating lawyer" and by a colleague (in a *Washington Post* article) as a lawyer who "has a very inventive mind when it comes to litigation. He thinks of things most lawyers don't because they have originality pounded out of them in law school." In naming Michael one of the top 10 Leading Lawyers in the U.S. representing plaintiffs in antitrust and cartel matters, *The Legal 500* termed Michael a "mastermind of strategy" and "smart strategic thinker," stating that the "incredibly impressive... Michael Hausfeld and Brian Ratner are highly skilled negotiators and litigators, and real fighters with an outstanding strategic sense," and "the outstanding Mike Hausfeld is a titan of the antitrust bar."

PRACTICE AREAS

Commercial Contingency

Mass Torts and Public Health Threats

Financial Services and Securities

Sports and Entertainment

Antitrust / Competition

Civil and Human Rights

Competition Litigation

Competition Counseling and Compliance

Antitrust Counseling and Compliance



MICHAEL D. HAUSFELD

EDUCATION

National Law Center George Washington University, J.D., *with honors*, 1969; Member, Order of the Coif

Brooklyn College, B.A., *cum laude*, 1966

BAR ADMISSIONS

District of Columbia

New York

AFFILIATIONS & HONORS

Washington, DC *Super Lawyer*, 2010-2017

Named by *The Legal 500* as a "Leading Lawyer" in Antitrust, 2011-2017

Co-Chair – ABA Civil Redress Task Force, 2011-2012 and Civil Redress Committee, 2012-2013

American Friends of Hebrew University, Torch Of Learning Award, October 2012

Member, Editorial Board – Global Competition Litigation Review, 2011

Member – ABA International Cartel Task Force, 2010

Named by *The Ethisphere Institute* in a short list of "attorneys who matter" in the field of corporate compliance, 2009

Cited in 2009 *Chambers USA*, in the Products Liability category

Named to *SmartCEO* Magazine Legal Elite 2009 List

Cited by *GQ* magazine as one of "the 50 Most Powerful People in DC," 2007

Named in *The Lawyer's 2007* "International World-shakers" list of 40 international lawyers "making waves" in the UK

100 Most Influential Lawyers, *The National Law Journal*, 2006

Plaintiffs Fellow, Litigation Counsel of America

Simon Wiesenthal Center Award for Distinguished Service

Named by *Legal Times* among 30 "Visionaries" in the Washington legal community, 2008

Adjunct Professor, George Washington University Law School, 1996-1998

Simon Wiesenthal Center Award for Distinguished Service

Named by *Legal Times* Fierce Sister Award, for work on the Japanese Comfort Women case, 2007

B'Nai Brith Humanitarian of the Year Award, 2002

U.S. Department of Energy Human Spirit Award, presented "in tribute to a person who understands the obligation to seek truth and act on it is not the burden of some, but of all; it is universal."

Named repeatedly by *Lawdragon* magazine as one of the 500 leading lawyers in the United States

Taught in Georgetown University Law Center, 1980-1987

Member, Board of Editors, *George Washington Law Review* (1968-1969)



MICHAEL D. HAUSFELD

PUBLICATIONS

- "Litigating Indirect Purchasers Claims: Lessons for the EU from the U.S. Experience," by Michael D. Hausfeld, Irving Scher, and Laurence Sorkin. *Antitrust Magazine*, Fall 2017.
- "Damage Class Actions After Comcast: A View from the Plaintiffs' Side," by Michael D. Hausfeld and Irving Scher. *Antitrust Magazine*, Spring 2016.
- "Antitrust Class Proceedings – Then and Now," by Michael D. Hausfeld, Gordon C. Rausser, Gareth J. Macartney, Michael P. Lehmann, Sathya S. Gosselin, *Research in Law and Economics* (Vol. 26, 2014) (Recipient of Concurrences' 2015 Antitrust Writing Award for Private Enforcement (Academic) Category).
- "The Business of American Courts in *Kiobel v. Royal Dutch Petroleum*." By Michael Hausfeld and Kristen Ward. *Jurist* - Sidebar, October 2012.
- "Prosecuting Class Actions and Group Litigation." By Michael Hausfeld and Brian Ratner, et al., *World Class Actions*, Ch. 26., September 2012.
- "Private Enforcement of Antitrust Law in the United States, A Handbook - Chapter 4: Initiation of a Private Claim." By Michael Hausfeld and Brent Landau, et al., 2012.
- "The Importance of Private Competition Enforcement in Europe." Michael D. Hausfeld and Swathi Bojedla. *Hackney Publications: Concussion Litigation Reporter*, Vol. 1, No. 1, July 2012.
- "CAT-astrophe: The Failure of "Follow-On" Actions." Michael D. Hausfeld, Brent W. Landau, Sathya S. Gosselin. American Bar Association's International Cartel Workshop, February 2012.
- "Private Enforcement in Competition Law: An Overview of Developments in Law and Practice in the US and Europe." Michael D. Hausfeld and Ingrid Gubbay, Bergamo University, July 2011.
- "The Contingency Phobia - Fear Without Foundation," *Global Competition Litigation Review*, Issue 1, January 2011.
- "Competition Law Claims – A Developing Story." *The European Antitrust Review* 2010.
- "Initiation of a Private Claim," International Handbook on Private Enforcement, 2010.
- "The United States Heightens Plaintiff's Burden of Proof on Class Certification: A Response." *Global Competition Litigation Review*, Volume 2 Issue 4/2009.
- "Global Enforcement of Anticompetitive Conduct." *The Sedona Conference Journal*, Fall 2009.
- "Observations from the Field: ACPERA's First Five Years." *The Sedona Conference Journal*, Fall 2009.
- "Twombly, Iqbal and the Prisoner's Pleading Dilemma." *Law360*, October 22, 2009.
- "The Value of ACPERA." *Law360*, June 2, 2009.
- "Collective Redress for Competition Law Claimants." *The European Antitrust Review* 2008.
- "Managing Multi-district Litigation." *The Antitrust Review of the Americas* 2008.
- "A Victim's Culture." *European Business Law Review*, 2007.



Brent W. Landau

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Brent Landau is the firm's Global Managing Partner and an accomplished antitrust lawyer who represents plaintiffs in complex cases. Recognized by the National Law Journal in 2015 as an "Antitrust Trailblazer and Pioneer," Brent was also named by Law360 in 2013 as a "Rising Star" and by Super Lawyers as a top attorney in antitrust. The Legal 500 described Brent as "one of the brightest competition attorneys in the Bar" and "very professional and personable."

Brent's clients include large and small businesses seeking compensation for price-fixing, monopolization, and other wrongdoing. He has experience in all aspects of litigation, and has obtained significant recoveries in courts throughout the United States.

His representative matters include:

- *In re Air Cargo Shipping Services Antitrust Litigation*, in which Brent represents a class of air freight customers that have recovered over \$1.235 billion in settlements for airline price-fixing. Brent was a principal settlement negotiator and presented both the opening and closing arguments at a multi-day evidentiary hearing on the plaintiffs' motion for class certification, which the court granted in July 2015. Brent then successfully argued against the defendants' motions for summary judgment, after which the remaining defendants settled.
- *In re Vitamin C Antitrust Litigation*, in which Brent was a member of the trial team that secured a \$162 million judgment for vitamin buyers following a jury verdict against defendants who argued they were compelled to fix prices by the Chinese government.
- *In re Dental Supplies Antitrust Litigation*, in which Brent serves as co-lead counsel for a class of over 100,000 purchasers of dental supplies alleging price-fixing among dental distributors. In August 2018, the parties reached an \$80 million tentative settlement.

Brent has been invited to speak on panels regarding the antitrust laws and other topics and is the author of several published articles. He is also a



BRENT W. LANDAU

Lecturer in Law at the University of Pennsylvania Law School, teaching a course in legal ethics.

Brent graduated cum laude from Harvard Law School, where he was a Supervising Editor of the Harvard Journal on Legislation, Co-Chairperson of the Tenant Advocacy Project, and a Teaching Fellow. Following law school, he clerked for the Honorable Bruce W. Kauffman of the United States District Court for the Eastern District of Pennsylvania.

PRACTICE AREAS

Commercial Contingency

Antitrust / Competition

EDUCATION

Harvard Law School, J.D., *cum laude*, 2001

State University of New York at Binghamton, B.A., *summa cum laude*, 1998

BAR ADMISSIONS

Pennsylvania

New York

District of Columbia

United States Supreme Court

United States District Court for the Eastern District of Pennsylvania

United States District Court for the District of Columbia

United States District Court for the Eastern District of New York

United States District Court for the Southern District of New York

United States Court of Appeals for the Second Circuit

United States Court of Appeals for the Third Circuit

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Ninth Circuit

AFFILIATIONS & HONORS

Listed in *Who's Who Legal*, Competition: Plaintiff (2016-2018)

Outstanding Antitrust Litigation Achievement in Private Law Practice (*In re Air Cargo Antitrust Litigation*), American Antitrust Institute (2016)

Recognized by *The Legal 500* in Antitrust - Civil Litigation/Class Actions (2015)

Recognized by *The Legal 500* in Antitrust - Cartel Enforcement (2015)

Named by the *National Law Journal* as an "Antitrust Trailblazer & Pioneer" (2015)

Named as one of *Law360's* "Rising Stars Under 40" for 2013 in the Competition category
Recommended Lawyer, Legal 500 (2010)

Judicial law clerk to Honorable Bruce W. Kauffman, United States District Court for the Eastern District of Pennsylvania (2001-2002)

Lecturer in Law, University of Pennsylvania Law School

Editor, *Antitrust Law Developments*



BRENT W. LANDAU

PUBLICATIONS

Co-Author (with Gary I. Smith), *"Bundling Claims Under Section 1 of the Sherman Act: Focusing on Firms' Abilities to Create Anticompetitive Effects in a Market, Rather Than Their Share of It,"* Antitrust Health Care Chronicle, Vol. 28/ No. 1, ABA Section of Antitrust Law (Jan. 2015).

Co-Author (with Brian A. Ratner), *Chapter 39: USA*, The International Comparative Legal Guide to Cartels & Leniency (2014)

Author, *Has Hydrogen Peroxide Really Made Antitrust Class Certification More Difficult?*, 7 Antitrust Practitioner 2 (2010)

Author, *"Sovereign Immunity and You: How New York State Employees Can Enforce Their Federal Employment Rights,"* United University Professions Working Paper Series (Dec. 2005) (presented at November 2005 UUP conference on "Preserving the Rights of Public Employees")

Author, *"State Employees and Sovereign Immunity: Alternatives and Strategies for Enforcing Federal Employment Laws,"* 39 Harv. J. on Legis. 169 (2002)

Author, *"State Bans on City Gun Lawsuits,"* 37 Harv. J. on Legis. 623 (2000)



Jeannine M. Kenney

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Jeannine M. Kenney is a partner in Hausfeld's Washington D.C. office, licensed in both Pennsylvania and the District of Columbia.

Jeannine's practice focuses primarily on private enforcement of federal and state antitrust laws. She was named a Rising Star in antitrust litigation in 2015 and 2016, an honor awarded to fewer than five percent of practitioners in the state.

Representative antitrust matters include:

- *In re Foreign Exchange Benchmark Rates Antitrust Litig.*, 13-cv-7789 (S.D.N.Y.), alleging a conspiracy among leading financial institutions to manipulate the foreign exchange market, in which Hausfeld serves as co-lead interim counsel and has obtained more than \$2.1 billion in settlements to date.
- *In re Generic Digoxin and Doxycycline Antitrust Litigation*, No. 16-md-2724 (E.D. Pa.) representing a class of end-payers alleging generic drug manufacturers and marketers conspired to unlawfully inflate the price of critical medications.
- *In re Domestic Airline Travel Antitrust Litig.*, No. 15-mc-1404 (D.D.C.) alleging major airlines conspired to reduce capacity to artificially inflate the price of domestic air travel, in which Hausfeld serves as interim co-lead counsel.
- *In re Blue Cross Blue Shield Antitrust Litig.*, No. 13-mdl-2496 (N.D. Ala.), representing subscribers alleging dozens of Blue Cross Blue Shield entities entered into an unlawful agreement not to compete, in which Hausfeld serves as co-lead counsel and discovery chair; Jeannine works primarily on e-discovery in the matter.
- *In re Processed Egg Products Antitrust Litig.*, No. 08-md-2002 (E.D. Pa.), representing egg purchasers alleging egg producers and distributors entered into an unlawful agreement to restrict egg supplies, in which Hausfeld serves as co-lead counsel and has obtained nearly \$60 million in settlements to date, secured class certification of a shell egg class, and obtained summary judgment that eliminated a primary affirmative defense.

JEANNINE M. KENNEY

- *In re Fresh and Process Potatoes Antitrust Litig.*, No. 10-MD-2186 (D. Idaho), which alleged more than 24 potato growers, distributors, and processor defendants entered into an unlawful agreement to restrict potato supplies to inflate the price. Hausfeld chaired the 10-member Plaintiffs' Executive Committee and secured a ground-breaking ruling on a novel question of law undermining a key defense in the case, ultimately obtaining a global settlement of nearly \$20 million and significant injunctive relief. Jeannine managed the 20-plus defendant case from discovery through resolution, including all e-discovery matters.

Jeannine's practice also includes mass torts and other non-antitrust matters. She served as court-appointed Plaintiffs' Liaison Counsel in *In re National Football League Players' Concussion Injury Litigation*, MDL 2323 (E.D. Pa.) and represented hundreds of former NFL players suffering from long-term or permanent neurological or cognitive impairments as a result of head injuries during NFL play and who alleged the League hid from them the serious risks of head trauma. She also represents a putative class of former college athletes in *McCants v. National Collegiate Athletic Association, et al.*, No. 15-cv-176 (M.D.N.C.) who allege the University of North Carolina offered them fraudulent classes and, for decades, concealed that fraud.

Jeannine is adept and experienced in managing all aspects and phases of e-discovery, the complex process of discovering and producing electronically stored information (ESI). She routinely navigates detailed, complex and contentious ESI issues from dispute to resolution, including briefing and arguing e-discovery motions when necessary. A member of the Sedona Conference's Working Group on Electronic Document Retention and Production, Jeannine counsels Hausfeld's litigation teams in negotiations relating to preservation, search, and production of ESI in cases often involving dozens of defendants, negotiates ESI search terms, technology assisted review (predictive coding) methodologies, and database disclosures and productions, and manages complex document reviews using advanced review analytics to speed discovery. She educates other practitioners on e-discovery realities, serving as a faculty coach to participants in Georgetown University's intensive eDiscovery Training Academy, and speaking at conferences regarding the complexities and ethical quandaries involved in the search for and production of ESI and the importance of cooperation among the parties. She co-authored a chapter on technology assisted review—advanced methodologies used to more effectively and efficiently locate responsive ESI—to appear in the American Bar Association's upcoming publication, *Perspectives on Predictive Coding*.

Jeannine joined the firm in 2009. From 2010 to 2011, she clerked for the Honorable Cynthia M. Rufe, United States District Court Judge, Eastern District of Pennsylvania. While attending the Georgetown University Law Center, from which she graduated *magna cum laude*, Jeannine was a member of the *Georgetown Law Journal* and a member of Georgetown's highly regarded Appellate Litigation Clinic, in which she received the International Academy of Trial Lawyers' Student Advocacy Award for her work on *Lytes v. DC Water and Sewer Authority*, No. 08-7002 (D.C. Cir. 2009), which she argued as amicus curiae before the United States Court of Appeals for the District of Columbia.

Jeannine brings to her legal work nearly two decades of experience in public policy spanning a wide range of legislative and regulatory fields, including agriculture, food safety, telecommunications, and financial

**JEANNINE M. KENNEY**

services, among others, advocating for the public interest and consumers. For nearly five years, she worked as a legislative assistant for two United States Senators. As a Senior Policy Analyst for Consumers Union, publisher of *Consumer Reports*, she advocated for consumer interests before Congress and federal agencies, testifying before congressional committees, appearing as a speaker at Federal Trade Commission events, and presenting oral and written testimony to federal regulatory agencies. She has been widely quoted in print media, including the *Washington Post*, the *New York Times*, and *USA Today*, and has appeared on national cable and broadcast programs on consumer issues ranging from anticompetitive mergers, unfair consumer services contracts, consumer access to competitive and affordable telecommunications services, and financial privacy. Jeannine also served as an appointed member of two federal advisory committees related to pesticide safety. Between stints at Consumers Union, she served as the Vice President of Domestic Affairs for the National Cooperative Business Association, representing member-owned consumer, producer, and purchasing cooperatives.

PRACTICE AREAS

Deceptive Business Practices and Consumer Protection

Sports and Entertainment

Antitrust / Competition

Civil and Human Rights

EDUCATION

Georgetown University Law Center J.D., *magna cum laude*, Order of the Coif

University of Wisconsin-Madison, B.A., Political Science and Economics, with distinction

BAR ADMISSIONS

The Commonwealth of Pennsylvania

The District of Columbia

The District Court for the Eastern District of Pennsylvania

The District Court for the District of Columbia

AFFILIATIONS & HONORS

Member, Advisory Board, Georgetown Advanced E-Discovery Institute

Super Lawyer Rising Star, Antitrust, Pennsylvania, 2015, 2016

Georgetown Law Journal, staff member and editor of the Journal's 2009 Annual Review of Criminal Procedure, 2007-2009

Recipient of the International Academy of Trial Lawyers Student Advocacy Award, Georgetown's Appellate Litigation Clinic, 2009



JEANNINE M. KENNEY

PUBLICATIONS

William P. Butterfield & Jeannine Kenney, *Reality Bites: Why TAR's Promises Have Yet to be Fulfilled*, Perspectives in Predictive Coding, American Bar Association, 2016 (Jason R. Baron et al, eds)

Jeannine Kenney & Kristen Ward Broz, *Supreme Court to Hear Appeal on Antitrust Liability and Trade Association Membership*, Aug. 2016, Lexology.

Jeannine Kenney, *Courts determine that non-cash consideration is subject to antitrust scrutiny under Actavis*, Oct. 2015, Lexology.

William P. Butterfield, Conor R. Crowley & Jeannine Kenney, *Reality Bites: Why [Technology Assisted Review's] Promises Have Yet to be Fulfilled*, International Conference on Artificial Intelligence & Law, Discovery of Electronically Stored Information Workshop, Presented June 14, 2013.

PRESENTATIONS & SPEECHES

Presenter, Coaches Corner, Georgetown University Law Center eDiscovery Training Academy, 2016, 2017

Faculty E- Discovery Coach, Georgetown University Law Center eDiscovery Training Academy, 2015- 2017

Panelist, Engaging the Disinterested Judge, Georgetown Advanced E-Discovery Institute, Nov. 2017

Panelist, Game On: Ethics & eDiscovery, Georgetown Advanced E-Discovery Institute, Nov. 2016

Agriculture & Food Litigation Roundup: Updates and Perspectives on Active Antitrust Cases in the Agriculture and Food Sectors, American Bar Association (2015 and 2016)

Panelist, Where Does the Buck Stop? The Latest in Cost Shifting, Georgetown Advanced E-Discovery Institute, Nov. 2016

Panelist, Essential Checklist for E-Discovery, D.C. Bar CLE Program, May 2015

Speaker, "So How Exactly is Plaintiffs' Side E-Discovery Practice Different?," D.C. Bar E-Discovery Committee Meeting, Jan. 2015

Panelist, ESI Discovery, NCLC Consumer Class Action Symposium, 2013



Megan E. Jones

Partner

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"Today's litigation options for antitrust recovery are undergoing as big of a sea change as paper discovery to electronic discovery. There are many, many options that a corporation can choose from, that take into account their business strategies and objectives."

Partner Megan Jones focuses on recovering damages for corporate victims of antitrust cartels for price-fixing, tying, restraints of trade, and other competition violations. Megan performs cartel analyses for her corporate clients, surveying purchase records for potential anti-competitive losses. She then makes recommendations about which losses can be recovered. Recoveries from the cases she has been involved in total well over half a billion dollars. Megan is adept at representing both classes of businesses that were harmed as well as individual businesses.

Megan has been recognized locally and globally as a leader in the Antitrust and E-Discovery bars. In 2014, independent researchers at *Global Competition Review* and *Who's Who Legal* selected Megan as one of just three women represented on their list of "The International Who's Who of Competition Lawyers & Economists." In 2013, *Global Competition Review* named Megan as one of the 100 successful Women in Antitrust globally. She was one of just 23 U.S. Lawyers selected for this global honor and the only U.S. lawyer who exclusively focuses her practice on pursuing recovery for victims of cartels. In 2012-2015, *The Legal 500*, which provides comprehensive worldwide coverage on legal services, selected Megan as one of the top 10 "Leading Lawyers" in the U.S. in plaintiffs' representation for antitrust. In 2011, the publication recommended Megan for having a "good understanding of business and operational environments." In 2012, Megan was selected by *Law360* as a "Rising Star" in the Competition category. *Law360* selected just five attorneys in each category as top legal talent under 40 in the U.S. and internationally, whose accomplishments in major litigation or transactions belie their age. For years 2012-2014, she was chosen by her peers as a Washington, DC Super Lawyer in Antitrust, reserved for those attorneys who have attained a high-degree of peer recognition and professional achievement. Based on her experience, Megan has been asked to speak on antitrust matters around the world, including Munich and Sydney.

Megan is also a member of The Sedona Conference®, which is composed of leading jurists, lawyers, experts, academics and others, at the cutting edge of issues in electronic discovery. She is co-author of two Sedona publications: "The Sedona Conference Glossary: E-Discovery and Digital

**MEGAN E. JONES**

Information Management” (2nd edition), December 2007, and co-author of “Navigating the Vendor Proposal Process: Best Practices for the Selection of Electronic Discovery Vendors,” published by The Sedona Conference®. Megan is also part of the team that is updating the Westlaw Casebook on electronic discovery in 2014. She also testified before the Federal Rules Committee in 2014 on the impact of the changes of the rules on electronic discovery. In 2014, she also chosen to speak at the American Bar Association's 8th National E-Discovery Institute, where nationally-acclaimed e-discovery professionals convened for a full day to analyze and discuss the latest developments and best strategies for managing the e-discovery process. Megan also was invited to attend the Duke Law Conference on Implementing Discovery Proportionality Standard, an invitation only conference that brings together prominent bench leaders, government officials, senior-level lawyers, technical experts, and academics to address emerging legal issues and develop consensus positions that will guide government policy-makers and decision-makers.

Megan's competition litigation efforts on behalf of clients have resulted in recoveries of over half a billion dollars, including: *In re Polyester Staple Antitrust Litigation* (W.D.N.C.) (\$63.5 million on behalf of class); *In re Compact Disc Antitrust Litigation* (C.D. Cal.) (over \$50 million on behalf of class); *In re Rubber Chemicals Antitrust Litigation* (N.D. Cal.) (over \$100 million on behalf of class); *In re MMA Antitrust Litigation* (E.D. Pa.) (over \$20 million on behalf of class); *In re EPDM Antitrust Litigation* (D. Conn.) (\$81 million on behalf of class). Megan was also involved in the negotiation of a \$300 million global settlement with Bayer (which resolved three cases: EPDM, Rubber Chemicals and NBR), and drafted the innovative settlement agreement itself.

Megan is the founder of Women Antitrust Plaintiffs' Attorneys, a national organization dedicated to exchanging best practices and information for women who primarily practice cartel law on behalf of victims. Speakers at the organization's conferences have included Wendy H. Waszmer, Counsel to Assistant Attorney General Christine A. Varney from the U.S. Department of Justice, Antitrust Division, federal judges, and the Honorable Judge Daniel Weinstein (Ret.).

PRACTICE AREAS

Commercial Contingency
Sports and Entertainment
Antitrust / Competition

EDUCATION

University of North Carolina at Chapel Hill School of Law, J.D., 1999
North Carolina State University in Raleigh, NC, *magna cum laude*, B.A., 1995

BAR ADMISSIONS

California
District of Columbia
North Carolina

MEGAN E. JONES**AFFILIATIONS & HONORS**

Named one of the Top Leading Lawyers in the U.S. in plaintiffs' representation for anti-trust by the Legal 500, 2012-2017

Outstanding Antitrust Litigation Achievement in Private Law Practice (*In re Air Cargo Antitrust Litigation*), American Antitrust Institute, 2016

Named a Super Lawyer in Antitrust, 2012-2015

Named to "The International Who's Who of Competition Lawyers & Economists 2014," by *Global Competition Review* and *Who's Who Legal*.

Named one of the 100 successful Women in Antitrust globally by the *Global Competition Review*, 2013

Named a Rising Star in Competition Law by Law360, 2012

Founder of Women Antitrust Plaintiffs' Attorney network group, 2008

Member, The Sedona Conference®

Vice Chair, ABA Antitrust Section's Communications and Digital Technology Industries Committee

Vice Chair, ABA Antitrust Section's Media and Technology Committee

PUBLICATIONS

"A panel of experts discuss e-discovery horror stories, vetting vendors and expectations for service providers in terms of competency and ethics", Law Technology News (May 19, 2014) (Quoted)

M. Jones joins Judge Francis and R. Trenchard (Wilmer Hale) in this podcast about the latest trends in cost-shifting in electronic discovery.

Co-author of *Navigating the Vendor Proposal Process: Best Practices for the Selection of Electronic Discovery Vendors*, published by The Sedona Conference®

Author of "Litigator 101," an ABA series regarding best practices in drafting discovery

"Q&A: Megan Jones on corporations as plaintiffs", *Global Competition Review*, March 2014.

"All I Really Need to Know About Antitrust Settlements, I Learned in Kindergarten," ABA Criminal & Cartel Practice Committee Newsletter, March 2011.

"E-Discovery Today: The Fault Lies Not In Our Rules...", *The Federal Courts Law Review (FCLR)*, Vol. 4, Issue 2, 2011.

"Giving Electronic Discovery a Chance to Grow Up," *The National Law Journal*, December 15, 2009

"Observations from the Field: ACPERA's First Five Years," *The Sedona Conference Journal*, Fall 2009

CLE Speaker, "E-Discovery in Antitrust Lawsuits and FTC/DOJ Investigations: Managing and Producing Electronic Information Under the Amended Federal Rules," March 2009

Antitrust Law Developments, 7th Edition, co-author of chapter on Non-Price Vertical Restraint, published by the American Bar Association, 2008

Co-author of *The Sedona Conference Glossary: E-Discovery and Digital Information Management* (2nd edition), December 2007

PRESENTATIONS & SPEECHES

Speaker, "Successfully Navigating Hazardous Waters: The Second Annual Conference on Transatlantic Deals and Disputes," American Bar Association and German Bar Association, Munich, June 2011

Speaker, Class Action Symposium, Georgetown Law Center, April 11, 2011

Speaker, "The Life of an International Cartel: A Six-Part Practical Series, Part III: Follow-On Civil Price Fixing," American Bar Association teleconference, February 4, 2011

Speaker, American Bar Association's *Antitrust Masters Course V*, September 30, 2010



Melinda R. Coolidge

Partner

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Tasked by the firm to evaluate potential antitrust cases and recommend a course of action, Melinda Coolidge assists a wide range of clients with an efficient analysis of their circumstances. She enjoys devising creative solutions for clients while managing complex litigation.

As a partner in the Washington, D.C. office, Melinda focuses on complex antitrust cases. Melinda plays a lead role in the firm's representation of various car manufacturers and other OEMs, working to recover damages incurred from the massive worldwide auto parts cartel. The cartel has resulted in over 80 guilty pleas in the United States, and fines and decisions by regulatory authorities around the world. She represents a class of end-payors of Thalomid and Revlimid in antitrust litigation against Celgene, and a class of direct purchasers of Zymar and Zymaxid in antitrust litigation against Allergan, Kyorin, and Senju. In another antitrust class action, she represents a class of poultry growers alleging a nationwide conspiracy among vertically-integrated poultry companies to suppress and maintain compensation for growing services below competitive levels. She also represents freight forwarders and other direct purchasers of air cargo shipping services against a worldwide price-fixing cartel in the *In re Air Cargo Antitrust Litigation*, in which her clients and the class have recovered over \$1 billion in settlements. In 2013, Melinda served on the trial team for the plaintiff class at trial in the *In re Vitamin C Antitrust Litigation*, which secured a trebled jury verdict of \$162 million against Chinese vitamin C manufacturer defendants. And as the primary brief writer on liability issues in the firm's *In re Prempro Products Liability Litigation*, Melinda represented dozens of women in a mass tort action against Pfizer and Wyeth over their hormone replacement therapy and links to breast cancer.

Melinda has been named one of Global Competition Review's *Top 100 Women in Antitrust* and one of the National Law Journal's Antitrust Trailblazers. She has also been recognized as a "rising star" by both the Legal 500 (a publication with worldwide coverage of legal services) for Antitrust-Cartel Enforcement, and by Law360 for career accomplishments in the class action arena. She was selected for the Super Lawyers Washington, D.C. Rising Stars list from 2014-2017, and was named by the U.S. Chamber of Commerce as a player driving effective "big ticket" class action litigation on behalf of consumers. She serves as a fellow with



MELINDA R. COOLIDGE

the Litigation Counsel of America, and is an active member of the ABA Antitrust Section.

Melinda graduated *cum laude* from Georgetown University Law Center, where she served as an editor of the *Georgetown Journal of Gender and the Law*, and assisted low-income tenants in Washington, D.C. to retain and purchase housing as a member of a student clinic. Before going to law school, she worked at Public Citizen, a national consumer advocacy organization. She currently spends her free time on progressive causes near her home in Takoma Park, MD.

PRACTICE AREAS

Commercial Contingency

Deceptive Business Practices and Consumer Protection

Antitrust / Competition

EDUCATION

Georgetown University Law Center, J.D., *cum laude*, 2008

Tufts University, B.A., *magna cum laude*, 2003

BAR ADMISSIONS

Maryland

District of Columbia

United States District Court for the District of Columbia

United States District Court for the Western District of New York

United States Court of Appeals for the Second Circuit

United States Supreme Court

AFFILIATIONS & HONORS

Legal 500 Recommended Attorney - Antitrust (2017)

Member of the American Bar Association

Super Lawyers Rising Star, Antitrust Litigation (2014-2016)

Fellow, Litigation Counsel of America (2016)

National Law Journal Antitrust *Trailblazer* (2016)

Global Competition Review *Top 100 Women in Antitrust* (2016)

Outstanding Antitrust Litigation Achievement in Private Law Practice (*In re Air Cargo Antitrust Litigation*), American Antitrust Institute (2016)

Legal 500 Rising Star in Antitrust - Cartel Enforcement (2015)

Law360 Rising Star in Class Actions (2015)

PUBLICATIONS

William P. Butterfield, Conor R. Crowley, Melinda R. Coolidge, "Diving Deeper to Catch Bigger Fish," DESI III Conference, June 2009



MELINDA R. COOLIDGE

PRESENTATIONS & SPEECHES

Panel Speaker, "Antitrust Issues in Private Enforcement Actions Against Agricultural Industries," AAI 11th Annual Private Antitrust Enforcement Conference (November 7, 2017)

Panel Speaker, "Did the enforcers go bananas in *Dole v. Commission*? What are the boundaries of cartel conduct - and why does it matter?" GCR Live Cartels (April 5, 2016)

Panel Speaker, "Antitrust Claims: Class Actions and Opting Out," AAJ Annual Convention (July 26-29, 2014)



William P. Butterfield

Partner

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Hausfeld lost a dear friend and trusted colleague when partner William P. Butterfield passed away on Tuesday, December 13, 2016. Bill was an outstanding and accomplished lawyer, whether as an advocate, teacher, or scholar. He was a true gentleman and deeply respected by all who knew him. He will be sorely missed by the entire Hausfeld family, and we are grateful for the invaluable contributions that he made to the firm. For any client-related inquiries, please contact Brian Ratner at 202-540-7155 or bratner@hausfeld.com. We invite those who knew Bill to share their remembrances with us at memories@hausfeld.com.

Bill Butterfield's initial career as a prosecutor led to his interest in finding information that would help his clients prove their cases. His passion for problem-solving in large cases (finding the important information within millions of electronic records) and creating out-of-the-box solutions, led to his pioneering work in the field of electronic discovery. These skills made Bill uniquely suited to provide unparalleled services to clients, always with the goal of providing sensible solutions to his clients' needs.

As partner at Hausfeld, Bill chaired the firm's Financial Services Practice Group, and concentrated on financial services and antitrust litigation. He was also an internationally recognized authority on electronic discovery. In over 30 years of legal practice, Bill represented governmental agencies, brokerage firms, corporations, directors and officers, attorneys and investors in private litigation over securities, commodities, antitrust and consumer claims, and in investigations commenced by the Securities and Exchange Commission. He also defended clients in bankruptcy adversary proceedings and commercial litigation. Additionally, Bill served as a leader in several legal think tanks, taught law, and wrote and spoke frequently on legal topics. Bill had a rating of AV®, the highest rating available in Martindale-Hubbell's peer review rating system. In 2016, he was named by *Super Lawyers* as a top Antitrust lawyer in Washington, D.C. He was also recognized for his e-discovery expertise by *Chambers USA: America's Leading Lawyers for Business*, *Chambers Global*, and *Global Competition Review's - Who's Who Legal*.

Bill was counsel for the plaintiffs in *In re Air Cargo Shipping Services Antitrust Litigation*, MDL No. 1775 (E.D.N.Y.), which has resulted in over \$1.2 billion in settlements. He was appointed by the Court to serve as lead counsel for the

WILLIAM P. BUTTERFIELD

class in *MTB Investment Partners, LP v. Siemens*, No. 2:12-cv-00340 (D.NJ). He served as discovery co-chair for the class in *In re Blue Cross Blue Shield Antitrust Litigation*, MDL No. 2406, (S.D. AL). Bill was also one of the principal attorneys for plaintiffs in two of the largest cases being litigated in U.S. courts: *In re LIBOR-Based Financial Instruments Antitrust Litigation*, No. 11-md-2262, (S.D.N.Y.), and *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 13-cv-7789 (S.D.N.Y.).

Bill's achievements included:

- Achieving settlements of over \$120 million in a lawsuit alleging output restrictions in the wood products industry (*In Re OSB Antitrust Litigation*, (E.D. Pa.));
- Achieving settlements of almost \$100 million in an antitrust price-fixing case involving the chemical industry (*In Re Hydrogen Peroxide Antitrust Litigation*, (E.D. Pa.));
- Acting as one of the principal attorneys involved in nationwide litigation challenging lending practices conducted by one of the nation's largest sub-prime lenders. In that case, Bill worked extensively with the FTC, and was responsible for bringing nationwide media and Congressional attention to lending practices conducted by Associates Finance. The plaintiffs and FTC eventually settled with Citigroup (which had acquired Associates Finance) for \$240 million (*In Re Citigroup Loan Cases*, J.C.C.P. 4197);
- Acting as one of the principal Plaintiffs' attorneys in *In re Prudential Securities Limited Partnerships Litigation*, MDL No. 1005 (S.D.N.Y.), which settled for \$137 million;
- Acting as one of the principal Plaintiffs' attorneys in *In re PaineWebber Securities Litigation*, 94 Civ. 8547 (S.D.N.Y.), which settled for \$200 million;
- Serving as outside counsel in the RTC's successful defense of a \$300 million arbitration dispute regarding the valuation of an acquired financial institutions investment and mortgage portfolio;
- Serving as outside counsel for the FDIC and RTC in numerous lawsuits and investigations to recover losses suffered by financial institutions due to securities, commodities and real estate fraud, director and officer misconduct and accounting malpractice;
- As outside counsel, representing political subdivisions in Texas, Ohio and California regarding securities matters.

Bill developed his interest in electronic discovery in the early 1990's when he helped design and implement an electronic document repository to manage more than 15 million pages of documents in a complex securities case. He testified as an expert witness on e-discovery issues, and spoke frequently on that topic domestically and abroad. Bill was the chair of The Sedona Conference® Working Group on Electronic Document Retention and Production, where he served as editor-in-chief of the *Case for Cooperation* (2009), and was a co-editor of *The Sedona Conference® Commentary On Preservation, Identification and Management of Sources of Information that are Not Reasonably Accessible* (2008). He was also a member of Sedona Conference® Working Group on International Electronic Information Management, Discovery and Disclosure. Bill was an adjunct professor at American University, Washington College of Law, where he taught a course in e-discovery. He also served on advisory boards for Georgetown University



WILLIAM P. BUTTERFIELD

Law Center's Advanced E-Discovery Institute, and Bloomberg BNA Litigation.

Bill devoted significant time to his community. He was a longtime contributor to his alma mater, Bowling Green State University. He also served as Treasurer to the BGSU Foundation, Inc., as well as on the BGSU Alumni Board, and as president of local alumni chapters in Dayton, Ohio and Washington, DC. As recognition for his philanthropy and service to the university, Bill received the BGSU Alumni Service Award in 2001. Additionally, Bill — a former Eagle Scout — served as a leader for scouting organizations. Bill also served for several years as the vice chair of the Fairfax Private Industry Council.

EDUCATION

University of Toledo, College of Law, J.D., 1978

Bowling Green State University, B.S.Ed., 1975

BAR ADMISSIONS

District of Columbia

United States Court of Appeals for the Second Circuit

United States Court of Appeals for the Third Circuit

United States Court of Appeals for the Sixth Circuit

United States District Court of Maryland

United States District Court for the District of Columbia

United States District Court, Eastern District of Michigan

United States District Court, Southern District of Ohio

AFFILIATIONS & HONORS

Super Lawyers - Antitrust Litigation (2016)

Chair, Steering Committee, Working Group 1, (Electronic Document Retention and Production) (2015)

Who's Who Legal "Electronic Discovery Experts," (2015)

Vice Chair, Steering Committee, Working Group 1, (Electronic Document Retention and Production) (2014)

SmartCEO, Washington Power Player for 2014.

Bowling Green State University Foundation Board, Inc. (Director, 2010 – present)

The Sedona Conference®

Member, Working Group 6

International Electronic Information Management

Discovery

Disclosure

Georgetown University Advanced E-Discovery Institute- Member of the Board Advisory Counsel.

Martindale-Hubbell Attorney ranking of AV®; the highest rating available

American Bar Association Antitrust Law Section

Ohio State Bar Association

Chambers and Partners, Ranked for Litigation: E-Discovery Expertise in Chambers USA and Chambers Global Guides.

**WILLIAM P. BUTTERFIELD****PUBLICATIONS**

Reality Bites: Why TAR's Promises Have Yet to be Fulfilled (co-author with Conor R. Crowley & Jeannine Kenney); Presented at: DESI V Workshop on June 14, 2013 in Rome, Italy

Pension Committee Revisited: One Year Later - A Retrospective on the Impact of Judge Scheindlin's Influential Opinion (Legal Hold Pro, February 2011) (Edited by Brad Harris & Ronald Hedges) (Perspectives from Craig Ball, Kevin Brady, William Butterfield, Maura Grossman, John Jablonski, Ralph Losey, Browning Mearan, Jonathan Redgrave, Denise Talbert, and Paul Weiner)

Milberg, LLP/Hausfeld, LLP, E Discovery Today: *The Fault Lies Not In Our Rules*, 2011 Fed. Cts. L. Rev. 4 (2011),

Contributor, Shira A. Sheindin et al., *Electronic Discovery and Digital Evidence: Cases and Materials* (West 2009).

William P. Butterfield, Conor R. Crowley, Melinda R. Coolidge, "Diving Deeper to Catch Bigger Fish," DESI III Conference, June 8, 2009

William P. Butterfield, Editor-in-Chief, *The Case for Cooperation*, 10 Sedona Conf. Journal, 339-362 (2009 Supp.)

Thomas Y. Allman, William P. Butterfield, et al., *Preservation, Management and Identification of Sources of Information that are Not Reasonably Accessible*, 10 Sedona Conf. Journal at 281-298 (2009)

PRESENTATIONS & SPEECHES

IAALS Fourth Civil Justice Reform Summit, Denver, CO, February 25-26, 2016, Speaker
Chair of the Sedona Conference, Working Group 1 Midyear Meeting 2015, Dallas, TX, April 29, 2015

Approved Conference on Preservation Excellence, Portland, OR, September 16-18, 2015, Speaker

"Proportionality, A View From All Sides," "First, Do No Harm: Preserving and Collecting," "Part 2: TAR- Not as Sticky as It Appears," ASU 2013 e-Discovery and Digital Evidence Conference, Phoenix, AZ, March 14, 2013, Panelist

"The experiences in the US Compared to the UK and Europe," IBC's Antitrust and Collective Redress Conference, London, UK, November 4, 2013, Presenter

"Understanding the Practical Ethical Realities of the Emerging New World of Civil Discovery: Applying Cooperation, Transparency and Proportionality in Your Cases," "Best in Class" E-Discovery, Denver, CO, June 22, 2013, Panelist

"Ten Years After- Where We Have Been and Where We Are Going?" The 10th Annual Advanced eDiscovery Institute: Applying Lessons from the Last Decade to Challenges in the Next, McLean, VA, November 21-22, 2013, Panelist

"e-Discovery Issues on the Horizon," Sedona Conference, St. Louis, MO, April 26, 2013, Panelist

"Preservation: A Vital Litigation Tool for Plaintiffs who Avoid the Landmines," Plaintiff Electronic Discovery Conference, New York, NY, June 27, 2013, Presenter

"ESI Rules: Who, What, When, Where, Why, and How?" "Crafting Model Orders, Guidelines, and Rules," The 2nd Annual Educational Summit for State Court Judges, Denver, CO, September 19-20, 2013, Faculty

"Federal Rules Committee and E-Discovery," 9th Annual Meeting for the American College of Business Court Judges, Fairfax, VA, September 16, 2013, Panelist



WILLIAM P. BUTTERFIELD

“Reality Bites: Why TAR’s Promises Have Yet to be Fulfilled,” DESI V Workshop, Rome, Italy, June 7, 2013, Keynote Speaker

E-Discovery Seminar for Federal Judges, Philadelphia, PA, September 10, 2013, Faculty

“Four Perspectives on Preservation and Proportionality: The Judge, The GC, Plaintiffs’ and Defense Counsel,” New York City Bar Association, New York, NY, May 17, 2012, Panelist

“Mass Tort Litigation Conference With Judge Marina Corodemus (Ret.),” Philadelphia, PA, June 4, 2012, Panelist

“Cooperation in Discovery and Litigation” and “What are the Difficulties in Preservation for Individuals and Companies,” E-Discovery Boot Camp, Denver, CO, June 23, 2012, Panelist

“Proposed Amendments to the Federal Rules,” Sedona Conference, Atlanta, GA, September 14, 2012, Panelist

E-Discovery Seminar for Federal Judges, Baltimore, MD, September 19, 2012, Faculty

“Cooperation and the Use of Special Masters,” Master’s Conference, Washington, DC, October 8, 2012, Panelist

“When Things Go Wrong: Incident Response from Different Perspectives,” 9th Annual Georgetown Law Advanced eDiscovery Institute, Washington, DC, December 7, 2012, Panelist

“Future of the Rules/New Developments,” 8th Annual Georgetown Law Advanced E-Discovery Institute, Washington, D.C., November 18, 2011, Panelist

“Preservation: Will This be the Next Change to the Federal Rules,” The Masters Conference, Washington, D.C., October 3, 2011, Panel Moderator

“Time for Change? Amending the Federal Rules of Civil Procedure,” Kroll OnTrack, Inc., Webinar, September 28, 2011, Panelist

“ESI Report Podcast Recording,” Legal Talk Network, September 28, 2011, Speaker

“The 34th Annual International ACM SIGIR Conference,” Beijing, China, June 2011, Panelist

“How I Would Attack Your ERM Program in Discovery and Trial,” ARMA International Podcast, June 1, 2011, Speaker

E-Discovery Seminar for Federal Judges, Charleston, SC, June, 2011, Faculty

“A Talk with the Wolf Before He Gets into the Hen House: How I Would Attack Your Electronic Records Management Program in Discovery & Trial,” The MER Conference, Chicago, IL, May 23, 2011, Speaker

E-Discovery Reality Show: Surviving the Meet & Confer,” LegalTech, New York, NY, January 31, 2011, Panelist

“Discovery in a Virtual World: A Mock Meet and Confer in Federal Court,” ARMA International Conference & Expo, Washington, D.C., October 17, 2011, Panelist

TESTIMONY

Ischemia Research and Education Foundation v. Pfizer, Inc., No. 1-04CV-026653, Cal. Superior Court, Santa Clara County. (Testified as expert witness regarding litigation hold and spoliation issues involving electronically stored information.)

U.S. House of Representatives, Committee on the Judiciary, Subcommittee on the Constitution: regarding the costs and burdens of civil litigation, December 13, 2011

U.S. Judicial Conference Committee on Rules of Practice and Procedure regarding proposed electronic discovery amendments to the Federal Rules of Civil Procedure (2005)



Jeanette Bayoumi

Associate

NEW YORK, NY

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Jeanette Bayoumi is an associate at Hausfeld's New York office. Her decision to join Hausfeld's team of lawyers was based on the internationally renowned litigation work that the firm does for clients ranging from those affected by social injustices to those harmed by economic disparities. Jeanette is currently working on a variety of cases, including *Axiom Investment Advisors, LLC v. Deutsche Bank AG, Alpari (US), LLC v. BNP Paribas, S.A., Alpari (US), LLC v. Credit Suisse Group AG; Credit Suisse AG; and Credit Suisse Securities (USA), LLC, and Alpari v Royal Bank of Scotland Group PLC and RBS Securities, Inc.*—a series of class action lawsuits alleging that plaintiffs in the foreign exchange market were harmed by various market makers in their practice of reneging on orders placed on electronic trading platforms. Jeanette is also a member of the *Suffolk County Water Authority v. The Dow Chemical Company et al.*, 17-6980 (E.D.N.Y.) and *Suffolk County Water Authority v. The 3M Company et al.*, 17-6982 (E.D.N.Y.) case teams. Filed against the manufacturers of toxic chemicals that have polluted the Authority's public supply wells, these water contamination cases allege that the defendants, who knew or should have known of the environmental risks of their defectively-designed products, must bear responsibility for the costs of treating the contaminated water and protecting the public from harm.

Prior to joining Hausfeld, Jeanette worked at the Financial Industry Regulatory Authority, where she strove to protect investors trading on the Nasdaq Stock Market and the New York Stock Exchange. During this time, she gained extensive experience in the fields of securities law and securities regulation. Preceding this work, Jeanette was part of the U.S. Securities and Exchange Commission Honor's Program, where she worked with the Office of International Affairs, aiding attorneys on international and securities related issues.

While in law school, Jeanette was a member of the American University International Law Review. She was exposed to antitrust and litigation work during her summers in law school where she spent one summer clerking with a Turkish law firm, based in Istanbul, Turkey, analyzing current issues in international competition law from both U.S. and E.U. standpoints, and another summer working at a D.C.-based law firm on various litigation matters. Moreover, Jeanette represented clients on immigration issues and



JEANETTE BAYOUMI

property matters as part of American University's Women and the Law Clinic. She also worked with the Center for Human Rights and Humanitarian Law's Initiative for Human Rights in Business, where she analyzed the impact of human rights dynamics on businesses and investments.

In her free time, Jeanette enjoys painting, and she has exhibited her work at multiple exhibitions. Coming from an international background, and being fluent in Arabic and proficient in French, Jeanette loves to travel and explore new cultures and languages.

PRACTICE AREAS

Environmental Threats

Financial Services and Securities

Antitrust / Competition

EDUCATION

American University Washington College of Law, *cum laude*, 2015

Georgetown University, *cum laude*, 2012

BAR ADMISSIONS

New York

District of Columbia

AFFILIATIONS & HONORS

New York State Bar Association

American University International Law Review (2013-2015)

PUBLICATIONS

Author, "Are Nationwide Classes at Risk for Overturned Settlements following the Ninth Circuit's Ruling in Hyundai?" Lexology (Feb. 20, 2018)



Swathi Bojedla

Associate

WASHINGTON, DC

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Washington, DC 20006
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202-540-7201 fax

Swathi's career has spanned a wide range of practice areas at Hausfeld, focusing most notably on the Sports & Entertainment, Antitrust, Consumer Protection, and Mass Torts practice areas. From initial case investigations through trial, she has represented the firm's clients in all aspects of litigation. Her work has encompassed some of the highest-profile class action sports and antitrust cases in recent years, and she has been involved in the recovery of over \$500 million in settlement awards on behalf of the firm's clients.

Swathi was initially drawn to Hausfeld's leadership in cutting edge litigation that advances the public interest and promotes a level playing field. As an avid sports fan, she has relished the opportunity to represent current and former athletes as they seek fair treatment for the dedication they put into the game. In *Dryer et al. v. National Football League*, she represented a class of retired NFL players whose names, images, and likenesses were being used in NFL Films features. She was involved in negotiating a \$50 million settlement agreement, which created a Greater Good Fund to provide health and welfare programs to former NFL players and also established a licensing agency, in partnership with IMG, to help former players market their names, images, and likenesses. She continues to advise the Court-appointed Board of Directors on implementation of the settlement agreement. In *In re NCAA Student-Athlete Name and Likeness Licensing Litigation*, Swathi represented a class action on behalf of current and former Division I men's basketball and FBS football players against the NCAA and its member institutions based on rules foreclosing athletes from receiving compensation for the use of their names, images, and likenesses. In 2014, plaintiffs completed a three-week bench trial in which Swathi was part of a trial team that successfully obtained class injunctive relief allowing college athletes to receive compensation for their NIL rights, a landmark victory for college athletes. She has also litigated against the United States Olympic Committee and USA Track & Field to open up the market for sponsorship of athletes. For her work on these and other cases, Swathi was named a Rising Star Under 40 in Sports by Law360 in 2016.

Outside of the sports realm, Swathi has litigated a variety of other cases across the legal spectrum, securing favorable results for her clients. In *In re Municipal Derivatives Litigation*, Swathi worked as part of a team that secured nearly \$250 million in settlements for a class of municipalities affected by alleged bid-rigging in the market for municipal bonds. And in

SWATHI BOJEDLA

In re Air Cargo Shipping Services Antitrust Litigation, Swathi joined the trial team to prepare for trial against the final four defendants in a worldwide conspiracy to fix fuel surcharge on air cargo; her work assisted in driving settlements with the final defendants totaling nearly \$200 million. In 2016, she was recognized for her work in both cases at the American Antitrust Institute Enforcement Awards, where she won two of the three awards for Outstanding Antitrust Litigation Achievement in Private Law Practice.

Swathi has also represented numerous financial institutions across the country who have suffered damages as a result of data breaches at retailers including Target, Home Depot, Kmart, and Wendy's. Through her work on these cases, she has developed an expertise in data breach law and card brand recovery processes, and has helped to design and implement unique settlement frameworks in this developing area of law. And in 2013, Swathi participated in a mass tort action arising from the placement of unnecessary stents in patients at a Baltimore-area hospital, which culminated in a month-long jury trial in Maryland state court and a global resolution compensating over 240 affected patients.

Prior to her arrival at Hausfeld, Swathi spent time at Georgetown Law's Institute for Public Representation, a civil rights clinic, where she worked on Title VII litigation in the D.C. District Court. She has maintained this interest at Hausfeld, where she represented several female employees alleging sexual harassment against their former supervisor and employer, a San Francisco venture capitalist firm. She has also worked on several presidential campaigns and in the U.S. Senate, both for then-Senator Hillary Rodham Clinton and as a law clerk to the U.S. Senate Judiciary Committee.

Swathi attended law school at Georgetown University, where she was Managing Editor for the *Georgetown Journal of Law and Public Policy*. Prior to Georgetown, she graduated from Brown University with a B.A. in Human Biology and Public Policy. She remains actively involved in the Brown University alumni community, serving as a member of the Women's Leadership Council as well as the D.C. Area Co-Chair for the school's admissions interviewing program. Swathi also currently sits on the Board of Directors for the D.C. non-profit Changing Perceptions, which focuses on providing professional and personal support to formerly incarcerated citizens.

PRACTICE AREAS

Mass Torts and Public Health Threats

Sports and Entertainment

Antitrust / Competition

EDUCATION

Georgetown University Law Center, J.D., 2011

Brown University, B.A., Human Biology & Public Policy, 2007

BAR ADMISSIONS

New York

Washington, D.C.

District Court for the District of Columbia

District Court for the Southern District of New York

District Court for the District of Colorado

Tenth Circuit Court of Appeals

SWATHI BOJEDLA**AFFILIATIONS & HONORS**

Brown University Women's Leadership Council, Member (2016-present)

Changing Perceptions, Board of Directors (2016-present)

Clerk, U.S. Senate Judiciary Committee

Brown University Alumni Interviewing Program, Washington, D.C. Chair (2012-present)

Managing Editor, Georgetown Journal of Law and Public Policy (2010-2011)

PUBLICATIONS

Aerotec Int'l v. Honeywell Int'l: An Antitrust Primer for Aftermarket Issues, Hausfeld Competition Bulletin (November 2016)

Consumers Strike Out: Time Warner Cable Defeats Challenge to Rate Hikes for Unwanted Sports Content, Trade, Sports & Professional Associations Newsletter (Spring 2015)

Going to Trial as an Associate, ABA Trial Practice Committee: Trying Antitrust Newsletter (Fall 2015)

Swathi Bojedla, *Is Major League Baseball's Antitrust Exemption in Jeopardy?*, ABA Antitrust Section Media & Technology E-Bulletin, Vol. 1, Iss. 3 (2013)

Michael Hausfeld and Swathi Bojedla, *The NFLPA's Potential Legal Liability to Former Players for Traumatic Brain Injury*, Concussions Litigation Reporter, Vol. 1, No. 1 (2012)

PRESENTATIONS & SPEECHES

Inside O'Bannon v. NCAA, Legal Talk Network podcast (Oct. 21, 2015)

Preparing for an Antitrust Trial as an Associate, ABA Section of Antitrust Law (Aug. 24, 2015)

The Sports Report: Sports, Consumer Protection and Antitrust – What's Hot in 2015!, ABA Trade, Sports and Professional Associations (June 16, 2015)

AWARDS

Outstanding Antitrust Litigation Achievement in Private Law Practice (*In re Municipal Derivatives Antitrust Litigation*), American Antitrust Institute (2016)

Rising Stars Under 40 Award for Sports Law, *Law360* (2016)

Minority Business Leaders Award, *Washington Business Journal* (2016)

Rising Star, *SuperLawyers* (2016)

Outstanding Antitrust Litigation Achievement in Private Law Practice (*O'Bannon v. NCAA*), American Antitrust Institute (2015)

Litigation of the Year - Non-Cartel Prosecution (*O'Bannon v. NCAA*), Global Competition Review (2015)



Samantha Derksen

Associate

LONDON

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London, United Kingdom
EC4A 3DW
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sderksen@hausfeld.com

Samantha is an Associate at Hausfeld in London. Before joining the London office, Samantha was an Associate in Hausfeld's Washington, DC office, and she is currently involved in both European and US litigation. Samantha is a Dutch national.

In London, Samantha focuses on competition law litigation, including litigation of follow-on cartel damages claims. Amongst other client matters, she represents clients with damages claims arising from a cartel in the European trucks manufacturing industry, and manages such claims filed in the Netherlands.

In addition, Samantha works on a variety of US cases, including *In re Libor-Based Financial Instruments Antitrust Litigation* (S.D.N.Y.), a class action lawsuit alleging a global conspiracy by some of the world's largest financial institutions to manipulate LIBOR. She is also involved in *Haff Poultry, Inc. et al. v. Tyson Foods, Inc. et al.*, Case No. 6:17-cv-00033-RJS (E.D. Okla.), an antitrust case on behalf of a proposed class of broiler chicken growers alleging a nationwide conspiracy among vertically-integrated poultry companies to suppress and maintain compensation for growing services below competitive levels. Previously, Samantha worked on *In re Equifax, Inc. Customer Security Data Breach Litig.*, Case No. 1:17-md-02800-TWT (N.D. GA.), where over 145 million Americans were impacted by the largest data breach in history.

Samantha graduated from The George Washington University Law School with highest honours and was a member of The George Washington International Law Review.

Prior to law school, Samantha worked in the field of international economic law. She was an International Trade Analyst at Sidley Austin in Geneva, where she was part of a team litigating World Trade Organization cases. She has also worked at the International Centre for Trade and Sustainable Development in Geneva, researching issues relating to international trade and climate change.



SAMANTHA DERKSEN

PRACTICE AREAS

Competition Litigation

EDUCATION

The George Washington University Law School, J.D., with highest honors, Order of the Coif, 2017

World Trade Institute, Master of International Law and Economics, *summa cum laude*, 2009

University College Utrecht, B.A., *magna cum laude*, 2007

BAR ADMISSIONS

District of Columbia

AFFILIATIONS & HONORS

The George Washington International Law Review (2015-2017)



Sarah R. LaFreniere

Associate

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Guided by the desire to represent clients asserting their rights in civil disputes, Sarah, an associate at Hausfeld, was drawn to practice at Hausfeld because of its creativity, commitment, and integrity. In an increasingly complex legal system, injured parties require much more than an attorney that simply knows the law to represent their interests, they need a dedicated team of exceptional advocates that can effectively navigate the ever increasing hurdles in complex litigation.

Sarah works on a variety of cases, including the *In Re Volkswagen "Clean" Diesel Litigation*, where Hausfeld represents individual plaintiffs and consumer groups in their claims against Volkswagen's "clean diesel" fraud. Sarah is also engaged in the *In re Foreign Exchange Benchmarks Rates Antitrust Litigation* in a case alleging collusion among international banks to artificially fix the prices of foreign exchange instruments. As co-lead counsel in that case, Hausfeld has overcome three motions to dismiss, and has secured more than \$2.3 billion in settlements. Finally, as a law clerk at Hausfeld, Sarah assisted in the matter of *In re South African Apartheid Litigation*, alleging that defendant multi-national corporations aided and abetted the commission of crimes against humanity by the security forces of the apartheid regime.

After law school, Sarah worked as a judicial law clerk to the Honorable Victor J. Wolski on the United States Court of Federal Claims, where she gained exposure to various types of civil litigation against the United States government. She handled civil matters in the areas of government contracts, copyrights and patents, taxation, and petitions for review under the *National Childhood Vaccine Injury Act*.

Sarah graduated from American University Washington College of Law in 2014. While in law school Sarah served as a Law Clerk at the Institute for Justice, representing aggrieved individuals in their challenges to unconstitutional government actions. In addition to her studies at the Washington College of Law, Sarah was enrolled in a dual program with the University of Ottawa, from which she obtained a JD in 2014. Prior to law school, Sarah worked for Canadian Member of Parliament Scott Reid, and in that role served as the Associate Director of the Canadian Parliamentary Coalition for Combating Antisemitism. In her free time, Sarah likes to spend



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time outdoors, particularly at the tops of mountains and under the sea—skiing and scuba diving.

PRACTICE AREAS

Financial Services and Securities

Antitrust / Competition

EDUCATION

American University Washington College of Law, J.D., *summa cum laude*, Order of the Coif, 2014

University of Ottawa, J.D., *cum laude*, 2014

McMaster University, BA, Hons., *summa cum laude*, 2008

BAR ADMISSIONS

New York

District of Columbia

United States Court of Federal Claims

AFFILIATIONS & HONORS

Mussey Prize for the Highest Scholastic Average in the Final Year of Study (WCL 2014).

American Bar Association Section on Antitrust Law, Young Lawyers Division

Administrative Law Review, Senior Note and Comment Editor

PUBLICATIONS

Co-Author, "The Volkswagen Scandal: Catalyst For Class Action Change?" Law360 (Feb. 27, 2018)

Author, "Two Years After Campbell-Ewald, Defendants Face Uphill Battle "Picking Off" Named Plaintiffs," Lexology (Feb. 21, 2018)

Author, "Product hopping by a pharmaceutical company "likely" violated the antitrust laws," Lexology (Oct. 13, 2015)